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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 DELIA ERNST,

9 Plaintiff,

10 v.

11 MICHAEL J. ASTRUE, Commissioner of  
12 Social Security,

13 Defendant.

Case No. 11-5730 RJB-KLS

REPORT AND RECOMMENDATION

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15 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.  
16 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.  
17 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the defendant's motion for  
18 remand. (ECF #8). After reviewing the defendant's motion, the plaintiff's response indicating no  
19 objection [ECF #9] and the remaining record, the undersigned recommends that the Court grant  
20 the motion, and remand this matter to the Commissioner for further proceedings pursuant to  
21 sentence six of 42 U.S.C. § 405(g).  
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23 This Court recommends that on remand the Appeals Council will remand the case for a  
24 de novo hearing.  
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1           Given the fact of the parties' stipulation, the Court recommends that the District Judge  
2 immediately approve this Report and Recommendation and order the case **REVERSED** and  
3 **REMANDED**. A proposed order accompanies this Report and Recommendation.

4           DATED this 19th day of December, 2011.

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7 Karen L. Strombom  
8 United States Magistrate Judge  
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